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DEPT FOR SCA/CEN (M. O'MARA, T. PERRY)

C O R R E C T E D C O P Y - TEXT

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TAGS: [PGOV](#) [PHUM](#) [PREL](#) [KZ](#)
SUBJECT: KAZAKHSTAN CONTEMPLATES DEMOCRATIC REFORM

REF: A. 06 ASTANA 573

- [1](#)B. 06 ASTANA 585
- [1](#)C. 06 ASTANA 712
- [1](#)D. 06 ASTANA 22
- [1](#)E. 06 ASTANA 27

Classified By: CDA Kevin Milas; reasons 1.4 (B) and (D).

[1](#)1. (C) Summary: There is widespread expectation in Kazakhstan that President Nazarbayev will announce a package of democratic reform proposals early in the new year. The timing and content of the initiative is not yet known, and some are skeptical that the proposals will represent fundamental changes. Nevertheless, the work of the Democratization Commission has set the stage for wider public debate of the need for reform, and has heightened expectations that the government will move forward with democratization. The next step forward could come as early as mid-January, when Nazarbayev may share his thoughts directly with the Democratization Commission. End summary.

"Reform" is Coming...

[1](#)2. (C) In November, with no prompting, President Nazarbayev volunteered to us that Kazakhstan would implement large-scale political reforms in 2007. Speaking at a lunch following the November 14 dedication of the new embassy building, Nazarbayev explained that he had felt the need to complete the tasks of building the state structure and creating a strong economy before changing the political system. Now that those two tasks have been completed, he said, it was time to move forward with reform of the political system (Ref A).

[1](#)3. (C) Observers of the political situation, regardless of party affiliation, appear to believe that a major announcement is coming early in 2007. Opposition leader Bulat Abilov, co-chairman of the True Ak Zhol party, is factoring the expected announcements into his strategy as he fights criminal charges for his business dealings in the 1990s (Ref B). He told us that the government is less likely to pursue him aggressively if the trial coincides with an effort to trumpet political reform. Likewise, failed opposition presidential candidate Zharmakhan Tuyakbay believes that a reform effort will begin in 2007, although he expects the results to be "minimal" (Ref C).

14. (C) Numerous contacts in the Kazakhstani government have told us to expect movement on the democratic reform front in 2007. Perhaps most intriguingly, Deputy Prime Minister Karim Masimov told the Ambassador on November 17 that he knows exactly what President Nazarbayev had in mind but could not discuss the specifics as he had been sworn to secrecy. In a similar vein, Presidential Administration head Adylbek Dzhaksybekov told the Ambassador on December 1 that a constitutional convention would be held in the new year to examine proposed changes to the political system, but did not provide specifics.

...But When and How?

15. (SBU) President Nazarbayev is widely expected to use the next meeting of the State Commission on Democratization to outline his thinking on democratic reform. The deputy director of the OSCE Centre told us that a highly-placed individual in the Presidential Administration had said that the session would take place the week of January 15. There has been no official announcement, however.

16. (SBU) Participants in the Democratization Commission provide significantly different descriptions of the work of the organization and its likely impact on the reform process. In a December 5 meeting with the Ambassador, State Secretary Oralbay Abdykarimov said that the Commission is considering two stages of proposals: reforms not involving changes to the constitution in 2007-2008, and reforms requiring constitutional changes from 2009-2011. Abdykarimov, who runs the Democratization Commission on a day-to-day basis, said that President Nazarbayev would share his vision of reform at the next meeting of the Commission (likely in January). The Commission would then move forward with specific reform proposals based on the recommendations of its various working groups. (See Refs D and E for details on structure and goals of the Commission.)

17. (SBU) Although Abdykarimov did not describe the expected proposals in detail, he noted that changes will be made to parliamentary powers and the electoral process. The most contentious issue facing the Commission is in his view the question of transferring additional authority to the parliament and increasing its power relative to the presidency. Abdykarimov commented that any effort to change the existing presidential form of government would likely provoke dispute. He added that the Commission is also considering increasing the number of deputies elected from party lists as opposed to single mandate districts; decreasing the number of signatures needed to register a party from 50,000 to 25,000; and modifying the roles of maslikhats (local legislatures). Abdykarimov also singled out the need to strengthen the independence of the judiciary and to enhance the separation of powers between courts and procurators. He predicted that the Commission would "resolve" the issue of procurators having the power to sanction arrests during the 2007-2008 phase of reforms.

18. (C) In a November 21 conversation with the Ambassador, Ak Zhol leader Alikhan Baymenov, who heads the working group on constitutional reform, painted a much less rosy view of the workings of the Democratization Commission. Baymenov complained that the proposals of the working groups were being forwarded to the Presidential Administration, likely to deputy head Maulen Ashimbayev, for review before being accepted. Only the "mildest" suggestions were being included in the document that would be forwarded to President Nazarbayev for consideration. Baymenov said that he had made a strong pitch to Abdykarimov that all the proposals, even those requiring constitutional amendments, should be presented to Nazarbayev at the same time.

19. (C) Abdykarimov was holding the line against presenting to Nazarbayev any proposals that required changes to the constitution, however. Baymenov predicted that Presidential Administration head Adylbek Dzhaksybekov and Security Council

chair Murat Tazhin would have a large say in the final product that would be presented to Nazarbayev. Foreign Minister Tokayev might also have some input, given his understanding of Western views, but would be unlikely to push for any bold changes. Baymenov told the Ambassador that the reform process might become an area of competition for the business groups behind each of the most influential people in government, many of them flush with cash from recent London IPOs and preparing for the "next stage of battle" for assets and influence.

Comment

110. (C) Comment: Kazakhstani authorities seem eager to give the impression that an organic, inclusive dialogue with civil society is underway in the Democratization Commission, which will lead to a package of reform proposals for President Nazarbayev's consideration. The truth is somewhat less heartening; most international observers and even many Democratization Commission participants view the process as window dressing designed to convey the impression of dialogue. Nonetheless, the Commission has heightened public awareness of the need for further political reform, and has placed fundamental questions like the balance of power between the executive and legislative branches on the table for public discussion for the first time. While the Commission's proposals may not form the core of President Nazarbayev's widely expected reform initiative in 2007, the process has heightened expectations and the onus on the government to put forward a substantive reform package. Post does not expect the government reshuffle announced on January 8 to derail the process, as the dialogue is being managed by the Presidential Administration. End comment.
MILAS